IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO.1225 OF 1998

Madan Ramprasad Khare ..Petitioner.

Vs.

The Municipal Corporation
of the City of Thane ..Respondent.

....

Mr.R.S.Apte for Respondent No.1

CORAM : DR.D.Y.CHANDRACHUD, J.

20th December, 2005.

P.C. :

The Revision Application arises out of an order dated 10th September, 1998 passed by the 5th Additional Sessions Judge, Thane dismissing an application at Exh.6 for the production of additional evidence under Order 41 Rule 27 of the Code of Civil Procedure, 1908. The Court notice

has been served upon the Petitioner to make alternate arrangements in view of the elevation of the then Learned Advocate to the Bench. The Petitioner has not appeared and there is an office noting to the effect that the notice of the Court has been served on the Petitioner. In view of the amended provisions of the Code of Civil Procedure particularly the proviso to Section 115(1), this Civil Revision Application is not maintainable and shall accordingly stand dismissed.